

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TRUSTEES OF THE BRICKLAYERS AND ALLIED  
CRAFTWORKERS, LOCAL 5 NEW YORK  
RETIREMENT, WELFARE, LABOR MANAGEMENT  
COALITION and APPRENTICE TRAINING AND  
JOURNEYMEN UPGRADING FUNDS, and  
BRICKLAYERS AND ALLIED CRAFTWORKERS  
LOCAL 5 NEW YORK,

Plaintiffs,

- against -

NAVILLUS CONSTRUCTION, INC., NAVILLUS  
TILE, INC., NAVILLUS GROUP, LLC, and  
DONAL O'SULLIVAN, Individually,

Defendants.

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**VOLUNTARY WITHDRAWAL  
AND ORDER**

**DISCONTINUING ACTION**

**08 CIV 3646 (KMK)(LMS)**

**WHEREAS**, to avoid the expense and inconvenience of continued litigation and the parties having agreed to settle this action, this action is

**HEREBY VOLUNTARILY WITHDRAWN** by the plaintiffs and it is acknowledged that this action be discontinued with prejudice and without costs.

Dated: May 3, 2008

~~GELLERT & KLEIN, P.C.~~

BY:

Stephen E. Ehlers (SE-3064)  
Attorneys for Plaintiffs  
75 Washington Street  
Poughkeepsie, NY 12601  
(845) 454-3250

✓ SO ORDERED June 26, 2008

✓ *[Signature]*  
Kenneth M. Karas, U.S.D.J.

<b>USDS SDNY</b>
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